

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: KIM SMITH PIPER : CASE NO.: 17-63525-PMB
f/k/a KIM YVONNE SMITH :
a/k/a KIM SMITH-PIPER : CHAPTER: 13
a/k/a KIM YVONNE SMITH-PIPER, :
Debtor. :

NOTICE OF FILING OF MODIFICATION OF CONFIRMED PLAN, DEADLINE FOR
FILING WRITTEN OBJECTIONS AND HEARING DATE AND TIME IF OBJECTION IS
TIMELY FILED

To: Creditors and Other Parties in Interest

PLEASE TAKE NOTICE that Debtor has filed and served on you a proposed modification to the confirmed plan in this case. Pursuant to Rule 3015(g) of the Federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed Modification must file that objection in writing with the Court on or before the following deadline.

DEADLINE FOR FILING OBJECTION: Twenty-four (24) days after the date on which this proposed Modification was filed. The proposed modification was filed on **March 5, 2018**. If the twenty-fourth day after the date of filing falls on a week-end or holiday, the deadline is extended to the next business day.

PLACE OF FILING: Clerk, United States Bankruptcy Court
Room 1340 United States Courthouse
Richard B. Russell Building
75 Spring Street, SW
Atlanta, GA 30303-3367

If you mail an objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also serve a copy on the undersigned at the address stated below and on the Debtor at: **3102 Imperial Circle, Atlanta, GA 30311**

PLEASE TAKE FURTHER NOTICE that if an objection to the proposed Modification is timely filed, the Court will hold a hearing on the modification on **April 12, 2018** at 2:15 p.m. in Courtroom 1202, U.S. Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia. **If no objection is timely filed, the proposed Modification will be effective pursuant to 11 U.S.C. § 1329(b)(2) as a part of the Confirmed Plan without further notice or hearing.**

Dated: 3/05/2018

/s/ Talitha S. Fleming
Talitha S. Fleming, GBN 101022
Attorney for Debtor
T. Fleming & Associates, LLC
5353 Fairington Road, Suite C
Stonecrest, GA 30038
Ph(770) 220-7220 Fax(770) 220-7221
tfleming@flemingbk.com

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: KIM SMITH PIPER	:	CASE NO.: 17-63525-PMB
f/k/a KIM YVONNE SMITH	:	
a/k/a KIM SMITH-PIPER	:	CHAPTER: 13
a/k/a KIM YVONNE SMITH-PIPER,	:	
Debtor.	:	

**POST-CONFIRMATION MODIFICATION OF PLAN
AND REQUEST FOR ITS APPROVAL**

Kim Smith Piper, Debtor, proposes to modify the confirmed Chapter 13 plan in this case as set forth below and requests that this modification be approved.

MODIFICATION OF PLAN

Kim Smith Piper, Debtor, hereby modify the Chapter 13 Plan, which the Court confirmed on December 7, 2017, as follows:

DELETING:

7. Unsecured Claims. Debtor estimates that the total of general unsecured debt not separately classified in Plan paragraph 10 is \$3327.35. After all other classes have been paid, Trustee will pay to the creditors with allowed general unsecured claims a pro rata share of \$2000.00 or 0%, whichever is greater. Trustee is authorized to increase this dollar amount or percentage, if necessary, in order to comply with the applicable commitment period stated in paragraph 2 of this Plan.

10. Other Provisions:

(H). Any federal tax refunds the Debtor is entitled to receive during the applicable commitment period shall be paid into the Debtor's Chapter 13 case. Further, Debtor authorizes and instructs the Internal Revenue Service to send any refund for said years directly to the Debtor's Chapter 13 Trustee. **In the event the tax refund is less than \$1500.00, Debtor may request in writing retention of the refund directly in writing from the Chapter 13 Trustee without the necessity of filing a Motion to Retain with the Court.** Debtor reserves the right to petition the Court for use of the tax refund.

ADDING / SUBSTITUTING:

7. **Unsecured Claims.** Debtor estimates that the total of general unsecured debt not separately classified in Plan paragraph 10 is \$3327.35. After all other classes have been paid, Trustee will pay to the creditors with allowed general unsecured claims a pro rata share of \$0.00 or 100%, whichever is greater. Trustee is authorized to increase this dollar amount or percentage, if necessary, in order to comply with the applicable commitment period stated in paragraph 2 of this Plan.

Dated: March 5, 2018

Respectfully submitted;

/s/ Talitha S. Fleming

Talitha S. Fleming, GBN 101022

Attorney for Debtor

T. Fleming & Associates, LLC

5353 Fairington Road, Suite C

Stonecrest, GA 30038

Ph(770) 220-7220 Fax(770) 220-7221

tfleming@flemingbk.com

VERIFICATION

I/We, Kim Smith Piper, as petitioner(s) in the foregoing petition, declare, under penalty of perjury, pursuant to Bankruptcy Rule 1008, that the foregoing amendment is true and correct.

/s/ Kim Smith Piper

Dated: 3/02/2018

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: KIM SMITH PIPER	:	CASE NO.: 17-63525-PMB
f/k/a KIM YVONNE SMITH	:	
a/k/a KIM SMITH-PIPER	:	CHAPTER: 13
a/k/a KIM YVONNE SMITH-PIPER,	:	
Debtor.	:	

CERTIFICATE OF SERVICE

I certify that I have this date, March 5, 2018, served the following parties with a copy of the Notice of Filing of Modification of Confirmed Plan, Deadline for Filing Written Objections and Hearing Date and Time if Objection is Timely Filed and Post-Confirmation Modification of Plan and Request for Its Approval by mailing a true copy of same with adequate first class postage affixed to assure deliver to:

Melissa J. Davey, Chapter 13 Trustee
260 Peachtree Street, NW - Suite 200
Atlanta, GA 30303

Kim Smith Piper
3102 Imperial Circle
Atlanta, GA 30311

I certify that, by agreement of the parties, Melissa J. Davey, Chapter 13 Trustee, was served via the ECF electronic mail / noticing system.

See attached list of creditors and other parties of interest served.

This 5th day of March, 2018;

/s/ Talitha S. Fleming
Talitha S. Fleming, GBN 101022
T. Fleming & Associates, LLC
5353 Fairington Road, Suite C
Stonecrest, GA 30038
Ph(770) 220-7220 Fax(770) 220-7221
tfleming@flemingbk.com
Attorney for Debtor

Label Matrix for local noticing
113E-1
Case 17-63525-pmb
Northern District of Georgia

c/o Carrington Mortgage Services, LLC
1600 South Douglass Road
Anaheim, CA 92806-5948

Bank of America
4909 Savarese Circle
Tampa, FL 33634-2413

Capital One Auto Finance
c/o AIS Portfolio Services, LP
f/k/a AIS Data Services
d/b/a Ascension Capital Group
4515 N. Santa Fe Ave. Dept APS
Oklahoma City, OK 73118-7901

Capital One Auto Finance
3901 Dallas Pkwy
Plano, TX 75093-7864

Cascade Parc Property Owners Association
c/o Community Management Associates Inc
1465 Northside Drive, NW
Suite 128
Atlanta, GA 30318-4220

Central Finl Control
Po Box 66044
Anaheim, CA 92816-6044

Credit Control Service
725 Canton St
Norwood, MA 02062-2679

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-4868

Fst Premier
601 S Minnesota Ave
Sioux Falls, SD 57104-4824

GEORGIA DEPARTMENT OF REVENUE
COMPLIANCE DIVISION
ARCS BANKRUPTCY
1800 CENTURY BLVD NE SUITE 9100
ATLANTA GA 30345-3202

Internal Revenue Service
Centralized Insolvency Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Kay Jewelers
375 Ghent Rd
Fairlawn, OH 44333-4600

Lavonne Curry
3102 Imperial Circle
Atlanta, GA 30311-5209

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

Portfolio Recovery Ass
120 Corporate Blvd Ste 1
Norfolk, VA 23502-4952

PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

U. S. Attorney
600 Richard B. Russell Bldg.
75 Ted Turner Drive, SW
Atlanta GA 30303-3315

U.S. Auto Finance
P.O. Box 1203
Lawrenceville, GA 30046-1203

U.S. Department of Housing and Urban Develop
451 7th Street S.W.
Washington, DC 20410-0002

US Department of Housing and Urban
Development
451 7th Street SW
Washington, DC 20410-0001

Us Auto Finance/us Auto
824 N Market St Ste 220
Wilmington, DE 19801-3024

World Finance Corporat
2640b Metropolitan Pkwy
Atlanta, GA 30315-7902